

**WAUKESHA COUNTY
MINUTES OF THE PARK AND PLANNING COMMISSION
THURSDAY, FEBRUARY 19, 2004, 1:00 P.M.**

CALL TO ORDER

Vice-Chairperson Janusonis called the meeting to order at 1:00 p.m.

Commission

Members Present: Vy Janusonis, Vice-Chairperson
Mareth Kipp
Ellen Gennrich
Walter Kolb
Walter Baade
Joseph LaPorte

Commission

Members Absent: Betty Willert, Chairperson

Staff

Members Present: Richard L. Mace, Planning and Zoning Manager
James W. Kavemeier, Parks System Manager
Amy Barrows, Senior Land Use Specialist
Sheri Mount, Land Use Specialist
Sherrie Villarreal, Clerk Typist III

Guests:

Bob Sivak
Orv Kurth
Christy Romadka
Don Malek
Lisa Marks
Tom Marks

INTRODUCTION OF NEW STAFF MEMBER: SHERI MOUNT

Sheri has a natural resources and environmental consulting background. She is a graduate of UW-Stevens Point and majored in Watershed Management and Land Use Planning. She has worked for Bonestroo & Associates as an Environmental Specialist, for Cedarburg Science as a Project Ecologist, and lastly, at the Wisconsin Department of Natural Resources as a Water Management Specialist. Hobbies are biking, bird watching, and volunteering for conservation projects.

MINUTES: January 22, 2004

Mrs. Gennrich moved, seconded by Mr. Baade and carried unanimously, for approval.

PUBLIC COMMENT

Vice-Chairperson Janusonis asked if anyone from the audience wished to address the Commission? There being no one, he moved to the next item on the agenda.

SCHEDULED MATTERS

1:00 p.m.

- **PARKS SYSTEM UPDATE, by James W. Kavemeier, Parks System Manager**

RETZER NATURE CENTER

Mr. Kavemeier updated the Commission on the Retzer Nature Center project. He reviewed drawings of the buildings with the Commission. He indicated the footprint of the building remains the same and said the reason the project was more expensive was because the new code required that the interior finishes be upgraded. This increased the project cost by \$350,000.00. If drywall is not changed, the Code would require a sprinkler system, which would be another expense. The Learning Center addition will be the base bid and the planetarium would be the alternate bid. He noted there is a “floor to ceiling” firewall, which separates these buildings and also saves dollars. Mr. Kavemeier said the heating and ventilating system has been reduced by \$250,000.00. This is accomplished by specifying a residential-type HVAC system with fewer thermostats. He pointed out the current building is serviced with a residential HVAC System, which is more efficient than a commercial HVAC System. The positive thing about using residential furnaces is that most people know how to service them, whereas the commercial furnaces would require a specialized person for repairs/maintenance.

Mr. Kavemeier explained that the amphitheater would be removed from the site development and noted the County could add it at a later date. He stated the building itself is the same, except they have added two “green” building initiatives, which are clear-story windows and a covered walkway on the south side of the building. Mrs. Kipp asked if the clear windows would have a solar effect? Mr. Kavemeier replied the clear-story windows would provide natural daylight into the interior of the building and the covered walkway would shade the classrooms from the summer sun. He said these two additions would cost approximately \$50,000.00 and \$20,000.00 respectively, totaling \$70,000.00.

Mrs. Kipp asked how close the new road was to the facilities? Mr. Kavemeier replied he didn’t have that Site Plan, but pointed out on the plans where the parking lot was, where the buildings were located, the service area, and stated the new access road would come off of Madison Road. He said there would be additional parking to the east of the existing parking lot and eventually the old road would be eliminated and a 10’ wide walking path would be created. Mrs. Kipp asked if the new parking lot would accommodate the overflow parking for the Apple Harvest Festival? Mr. Kavemeier replied it would provide access to grass parking for the festival. He said that during construction the old road would become the construction road. The use of the land will still be open and during construction, the Retzer Staff would relocate to the Fox River Park. He noted there will be a trailer on site for on-site programs. There was discussion with regards to the additional parking and Mr. Kavemeier explained that a better drop-off area is planned.

Mrs. Gennrich asked what the construction schedule was? Mr. Kavemeier replied, “ We are planning on going out for bid in mid March, called in by mid April, awarded by mid May, and to start construction in June and go through the end of the year (2004). Mrs. Gennrich asked, “For six months you expect the facilities be shut down?” Mr. Kavemeier replied the building itself will be shut down, but the Parks Division will conduct on-site programs at Retzer and at other County parks.

Mr. Kolb asked if the bid would include the planetarium? Mr. Kavemeier replied, the planetarium would be bid as an add-alternate and depending what the bid comes in at, the School Board could decide if they wish to go forward or not (the funds are coming from the Waukesha School System). Mr. Kavemeier explained they are still looking for donors for the planetarium

and the exhibit area. Mrs. Gennrich asked how large of a donation was needed for the planetarium? Mr. Kavemeier replied \$350,000.00, and if you wanted your name on the planetarium, the cost would be \$400,000.00. Mr. Kolb asked if the County would still own the planetarium and asked if it was leased back to the school? Mr. Kavemeier replied, "That is correct and the Parks System will maintain the planetarium and charge the School District for utility usage." Mrs. Kipp asked if the Rezter Nature Creek would remain? Mr. Kavemeier replied that it would and pointed out the creek was a good teaching area.

ACQUISITIONS & PAVEMENT MANAGEMENT

Mr. Kavemeier said the County closed on the Hintz parcel yesterday and completed the land swap with Kingsway Homes. Mrs. Gennrich asked if the County had acquired the Habberman property in the Town of Ottawa? Mr. Kavemeier replied, "Yes". He said the County (through a title company) had appraisals conducted on the Ketterer parcel in the Town of Merton. He said there was an appraisal completed on the Thompson parcel in the Mukwonago area, but they are only considering selling. He said the County is still trying to get a "buy-out option" approved by the State on the Kelling parcel. He said the Parks Division now has the surveys for the Town of Merton Land Exchange which may be completed in a month or so. He said other than that, the Department has been working on a Greenway Project with MLG and the Village for the Bark River crossing in the Village of Merton and that MLG is donating the land along the Bark River. He said they also picked up a trail/preservation easement along the Fox River in the City of Delafield (Waterleaf Subdivision). Mr. Kavemeier stated the Parks Division was very active with acquisitions and as far as everything else, they are moving forward. He said pavement management is almost out for the year.

PLOWING OF TRAILS

Mr. Kolb asked if the trails were plowed in the winter, specifically the Lake Country Trail behind the Country Inn? Mr. Kavemeier replied the Parks Division does not plow trails unless it serves a utilitarian purpose. For example, the Bugline Trail, near the Village of Sussex bisects an elderly housing complex and a shopping center. The Parks Division plows that trail so the elderly will have access to the shopping center. With regard to the Lake Country Trail near the St. Anthony School, the sidewalk areas are plowed so the children can have access to the school. If people want to use the trails for cross-country skiing they may do so, but the Parks System does not groom those trails.

SKATING RINKS

With regards to the skating rinks, Mr. Kavemeier pointed out he handles maintenance costs for the grounds of the two ice arenas and Pete Pulos (Enterprise Operations Manager) oversees the operations. He said the County is only breaking even and the County Board has approved the use of interest on retaining earnings to offset the expenses. There are too many skating rinks, too few skaters, and a poor economy. He explained the cost of putting a child in a hockey program is \$1,000.00 to \$1,400.00 and that there has been a reduction in the amount of people participating in hockey.

CAPITAL PROJECTS

Mr. Kavemeier stated "capital projects" are coming up and the Parks Division Staff has not discussed what they will propose.

NEW BERLIN TRAIL

Mr. Kavemeier stated they received funding to pave the New Berlin Trail next year (Summer 2005), which connects to the Milwaukee Oakleaf Trail and the Glacial Drumlin Trail.

1:30 p.m.

WAUKESHA KENNEL CLUB

Request: The Waukesha Kennel Club requests a waiver of the provisions of the Waukesha County Code, Parks and Recreation, Chapter 14, Section 14-153 Sales and Handouts, for the sale of concessions and beverages.

Mrs. Kipp excused herself, as this request was made by her on behalf of the Waukesha Kennel Club and she would not be voting on this matter.

Mr. Kavemeier said the Waukesha Kennel Club is requesting a waiver from the provisions of the Waukesha County Code, Parks and Recreation, Chapter 14, Section 14-153, Sales and Handouts, for the sale of concessions and beverages to accommodate their "All Breed Dog Shows and Obedience Trials" from Friday, July 23, 2004, to Sunday, July 25, 2004. He said the current code permits the consumption of beer in the parks with a reservation of a picnic area, but not the sale of beer or any other beverages. He said the Waukesha Kennel Club is requesting to use Pam Reetz, who is a County-approved vendor for beer sales. He pointed out that food would also be sold by the Machine Shed. Mr. Kavemeier said his recommendation is to approve the waiver from the provisions of the Waukesha County Code.

After discussion, Mr. Baade moved, seconded by Mrs. Gennrich and carried unanimously (with Mrs. Kipp excused), for approval of the waiver of the provisions of the Waukesha County Code, Parks and Recreation, Chapter 14, Section 14-153 Sales and Handouts, for the sale of concessions and beverages at the "All Breed Dog Shows and Obedience Trails" from Friday, July 23, 2004, to Sunday, July 25, 2004.

Mrs. Kipp returned to the Commission meeting.

- **SZT-1478 (Aaron Legan) City of Pewaukee, Section 7 (From C-1 Conservancy District (Floodplain) to the R-3 Residential District)**

WITHDRAWN

- **CU-1360 (Jason Biver) Town of Oconomowoc, Section 23**

Mr. Mace presented the "Staff Report and Recommendation" dated February 19, 2004, and made a part of these Minutes. He pointed out the location of the property on the aerial photograph and stated the petitioner is requesting a Conditional Use Permit for the off-season storage of boats, automobiles and other seasonal items, such as jet skis, boatlifts and snowmobiles, in two farm buildings on his property.

Mr. Mace pointed out that the buildings are in excellent condition and the petitioner is requesting an after-the-fact Conditional Use Permit to authorize the use of two accessory farm buildings for off-season storage of boats and automobiles, along with other large seasonal items, such as jet skis, boatlifts and snowmobiles. The petitioner purchased the property in June 2000, and was not aware that permits were required for such a use, and indicated the buildings have been used for off-season storage since 1973.

There was discussion with regards to the three-phase power which is used to run larger horse-power motors, which services the two out buildings. Mr. Baade stated he spoke to the building inspector, but could not get an answer as to why there was three-phase power. Mr. Mace stated the Planning and Zoning Division Staff did not detect any violation other than the storage, and

Mrs. Gennrich said she didn't think the three-phase power was a concern.

After discussion, Mrs. Gennrich moved, seconded by Mrs. Kipp and carried unanimously, for approval in accordance with the "Staff Report and Recommendation". The approval of this request, as conditioned, will allow the petitioner a reasonable use of his land and still promote and meet the intent and purposes of all County Ordinances.

- **SCU-1362 (Don Malek) Town of Eagle, Section 32**

Mr. Mace presented the "Staff Report and Recommendation" dated February 19, 2004, and made a part of these Minutes. He pointed out the location of the property on the aerial photograph and stated the petitioner is requesting a Conditional Use Permit for the construction of two wildlife ponds.

Mr. Mace pointed out the property in question is one parcel out of a larger holding by the Malek family and the property is occupied by a large hill, with an east-facing slope down to the Conservancy area in which the proposed two ponds are intended to be developed. The proposed ponds will be approximately 5 ft. in depth and are considered scrapes rather than dug-out ponds. He said there was concern by the neighbor to the south in Walworth County that the proposed pond may have an adverse affect on groundwater supplies. Mr. Mace said the ponds would seek their own water surface level just through excavation and exposure of the groundwater that already lies beneath the soil at the site. An NA III site was nearby the project, but the Planning and Zoning Division Staff did not think it would impact the ponds.

After discussion, Mr. Kolb moved, seconded by Mr. Baade and carried unanimously, for approval in accordance with the "Staff Report and Recommendation" but with an added condition, "To keep the scrape out of the natural area." The approval of this request, as conditioned, will allow the petitioner a reasonable use of his land and meets the intent and purposes of all County Ordinances.

- **PO-03-OCOT-24 (Jason Biver) Town of Oconomowoc, Section 23**

Mr. Mace presented the "Staff Memorandum" dated February 19, 2004, and made a part of these Minutes. He pointed out the location of the property on the aerial photograph and stated the request is for amendments to the existing a Site Plan/Plan of Operation Permit for the off-season storage of boats, automobiles and other seasonal items, such as jet skis, boatlifts and snowmobiles, in two farm buildings.

Please refer to CU-1360 (Jason Biver).

Mrs. Gennrich moved, seconded by Mr. Baade and carried unanimously, for approval in accordance with the "Staff Report and Recommendation". The approval of this request, as conditioned, will allow the petitioner a reasonable use of his land and meets the intent and purposes of all County Ordinances.

- **PO-04-OCOT-3 (Winestein) Town of Oconomowoc, Section 35**

Mr. Mace presented the "Staff Report and Recommendation" dated February 19, 2004, and made a part of these Minutes. He pointed out the location of the property on the aerial photograph and stated the petitioner is requesting a Site Plan/Plan of Operation Permit for a café, bakery and wine-bar business.

Mr. Mace stated the petitioner (Mrs. Marks, daughter of the owner) is proposing to lease 2,935 sq. ft. of the Oconomowoc Lakes Plaza. The south side will be utilized as a café and bakery serving specialty coffees, pastries, bakery items, sandwiches, salads, soups, etc., and the north side will be utilized as a wine bar, featuring wine and specialty spirits, wine tasting and retail sales of wine, select malt beverages and spirits. Wine paraphernalia will also be sold. The business will not constitute a full-service restaurant and food service will be completed behind a counter, as deli and hot items will be minimal and will not require large ovens or hoods. Bakery items brought to the site will be fresh daily and will not be baked on the premises. Mr. Mace said the bar would not open until the lunch hour and background entertainment (jazz, piano and strolling music) would be provided after work hours and would only occur inside. There was discussion with regards to the 20 parking spaces in Condition No. 6 (see below), whereby the Commission voted to change the parking from 20 to 14.

Condition No. 6:

A Lease Agreement must be presented to the Planning and Zoning Division Staff to verify that it includes ~~20~~ 14 parking spaces and a Master Parking Plan be prepared for the Town of Oconomowoc Planner and the Staff of Waukesha County Department of Parks and Land Use to verify which parking spaces will be used for which uses, prior to issuance of this permit.

Mr. Mace continued saying that the operation will have one sign attached to the building and space will not be taken on the proposed plaza monument sign at this time. He pointed out that all lighting on the property must be approved by the Town of Oconomowoc Engineer.

Mrs. Barrows (Senior Land Use Specialist) said the Town of Oconomowoc wrote a recommendation that had the following changes:

1. There will be only two days per week of music.
2. Parking should be provided for 14 parking spaces.

Mrs. Barrows explained when she calculated the parking she came up with 25 parking spaces; however, Jeff Herrmann's (the Town of Oconomowoc Planner) calculations were 14 parking spaces. Mrs. Barrows noted the requirements for a retail/business type business is seven spaces per 1,000 sq.ft. of area used for the business.

After discussion, Mrs. Kipp moved, seconded by Mr. LaPorte and carried unanimously, for approval in accordance with the "Staff Report and Recommendation", with the change to Condition No. 6, stating that parking spaces be changed from 20 to 14. The approval of this request, as conditioned, will allow the petitioner a reasonable use of his land and meets the intent and purposes of all County Ordinances.

• **PO-04-GNT-2 (Christy's Ceramics, LLC) Town of Genesee, Section 21**

Mr. Mace presented the "Staff Report and Recommendation" dated February 19, 2004, and made a part of these Minutes. He pointed out the location of the property on the aerial photograph and stated the petitioner is requesting a Site Plan/Plan of Operation Permit for a retail ceramics store offering ceramic classes using an electric kiln for firing the ceramics.

Mr. Mace stated the petitioner is proposing to utilize Unit No. 1 of a multi-tenant building in Genesee Depot for her business "Christy's Ceramic, LLC". Greenware, paints, brushes and bisque and ceramics will be sold. Classes will also be offered three to four times a week and

seminars will be held one to three times per year. He noted the petitioner is proposing an “open” sign; a business sign with the hours of operation; and a business sign on the ground directory sign for the multi-tenant building. Mr. Mace stated no lighting changes are proposed and no report from the local Fire Department was submitted regarding the proposed kiln. The entire multi-tenant site currently accommodates 52 marked parking stalls, and based on the uses of the property and Ordinance requirements, 67 parking stalls are required. On November 6, 1985, the Waukesha County Board of Adjustment approved a Variance, permitting a substandard amount of parking spaces on the property. There was discussion with regards to the safety of the kiln, etc. Ms. Romadka introduced herself and stated the studio will have 18 inches of clearance on each side of the kiln to protect it from overheating the walls, and as a further precaution, a cement board on the floor and a venting system (much like a dryer vent) will be installed.

After discussion, Mr. Baade moved, seconded by Mr. LaPorte and carried unanimously, for approval in accordance with the “Staff Report and Recommendation”. The approval of this request, as conditioned, will allow the petitioner a reasonable use of his land and meets the intent and purposes of all County Ordinances.

• **PO-04-OCOT-2 (Oconomowoc Soccer Association) Town of Oconomowoc, Section 8**

Mr. Mace presented the “Staff Report and Recommendation” dated February 19, 2004, and made a part of these Minutes. He pointed out the location of the property on the aerial photograph and stated the petitioner is requesting a Site Plan/Plan of Operation Permit for soccer fields, baseball diamonds, and associated activities, parking areas, a two-car garage for lawn equipment storage, port-a-johns, signage, and overall grading of the site.

Mr. Mace pointed out that the site will be used for youth soccer practices, hosting youth soccer games, and instructional clinics for players, coaches and referees. The soccer fields include three U-8 fields, three U-10 fields, four U-12 fields and one championship field. Lighting to the championship field may be provided at some point, but presently is not proposed. He said practices will be conducted on weeknight evenings from approximately April through October each year and winter activities are not proposed at this time. Youth soccer teams may host games on weeknight evenings and on Saturdays and Sundays during daylight hours. The petitioner is proposing four “special event” soccer tournaments per year. The petitioner noted that the number and location of fields may vary from year-to-year in accordance with the needs of various age groups and total field inventory of the Oconomowoc Soccer Association. Field locations may also change during the year to provide optimum usage and insure good grass cover, while trying to eliminate areas of wear. There are two locations on the Site Plan which indicate they will be used for “other activities.” Mr. Mace said the site will contain 401 parking spaces with grass areas for overflow parking. He pointed out the Site Plan submitted shows one monument sign; however, the signage for the park will be located at both entrances. The petitioner also states sign designs and naming of the park will be determined at a later date. There was discussion with regards to the lighting of the soccer fields and if it would affect traffic.

After further discussion, Mr. Baade moved, seconded by Mr. Kolb and carried unanimously, for approval in accordance with the “Staff Report and Recommendation”. The approval of this request, as conditioned, will allow the petitioner a reasonable use of his land and still meets the intent and purposes of all County Ordinances.

• **PO-04-GNT-4 (Poolside, LLC) Town of Genesee, Section 27**

Mr. Mace presented the “Staff Report and Recommendation” dated February 19, 2004, and made a part of these Minutes. He pointed out the location of the property on the aerial photograph and stated the petitioner is requesting a Site Plan/Plan of Operation Permit to relocate and enlarge a previously approved sign, install a new free-standing sign, and amend the original approval of a sign attached to the building from non-illuminated to illuminated.

Mr. Mace indicated that Site Plan/Plan of Operation approval was granted on October 6, 2003, by the Waukesha County Park and Planning Commission with several conditions to be met (PO-03-GNT-12). The petitioner is proposing to amend the Site Plan/Plan of Operation to include three signs: two free-standing and one attached to the building. Mr. Mace said one sign will be 6 ft. x 5 ft. and 30 sq.ft. in size, two-sided, free standing and illuminated, and located on a 7 ft. pole and 12 ft. in total height. The free-standing sign would be located approximately 57.5 ft. from the established road right-of-way of S.T.H. 59, northeast of the building. The sign is proposed in its location to attract S.T.H. 59 traffic. The petitioner is requesting that the sign be rectangular or oval in shape, and is proposing to amend the original Site Plan/Plan of Operation approval for the 2 ft. x 10 ft. non-illuminated wall sign attached to the south side of the building, which would allow the same sign illuminated rather than non-illuminated. In addition, the petitioner is also proposing to install a 2 ft. x 3 ft., 6 sq. ft., free-standing sign located at the entrance to the parking area adjacent to Commercial Drive. This sign would be non-illuminated and would act as an entrance sign to the property from Commercial Drive. Mr. Mace pointed out that the petitioner should be aware that a Site Plan/Plan of Operation Permit has not been issued for the operation and he must comply with the conditions of PO-03-GNT-12, prior to the issuance of a Permit and prior to occupancy. Mr. Sivak was present in the audience.

After discussion, Mr. LaPorte moved, seconded by Mr. Baade and carried unanimously, for approval in accordance with the “Staff Report and Recommendation”. The approval of this request, as conditioned, will allow the petitioner a reasonable use of his land and still meets the intent and purposes of all County Ordinances.

ADJOURNMENT

There being no further business to come before the Commission, Mr. Baade moved, seconded by Mr. LaPorte and carried unanimously, to adjourn at 3:00 p.m.

Respectfully submitted,

Mareth Kipp
Secretary

MK:smv